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PTO/SB/21 (09-06)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                        |                     |
|------------------------|---------------------|
| Application Number     | 10/657,494          |
| Filing Date            | September 8, 2003   |
| First Named Inventor   | Dennis M. Hilton    |
| Art Unit               | 1711                |
| Examiner Name          | Zemel, Irina Sophia |
| Attorney Docket Number | 621P002Div.         |

**ENCLOSURES (Check all that apply)**

|   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>-Form PTO-1449<br>-Copy of non US references cited -2<br>-Copy of European communication dated 11/6/06 |
| <b>Remarks</b>  |  |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                 |          |        |
|--------------|-----------------|----------|--------|
| Firm Name    | Niels & Lemack  |          |        |
| Signature    |                 |          |        |
| Printed name | Kevin S. Lemack |          |        |
| Date         | January 3, 2007 | Reg. No. | 32,579 |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |                 |      |                 |
|-----------------------|-----------------|------|-----------------|
| Signature             |                 |      |                 |
| Typed or printed name | Kevin S. Lemack | Date | January 3, 2007 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dennis M. Hilton et al.  
Serial No. : 10/657,494  
Filed : September 8, 2003  
For : FOAMED FIREPROOFING COMPOSITION AND METHOD  
Examiner : Zemel, Irina Sophia  
Art Unit : 1711  
Confirmation No: 1928  
Attorney1  
Docket No. : 621P002Div.



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:


INFORMATION DISCLOSURE STATEMENT

The Examiner is respectfully requested to consider the documents, which are listed on the attached form PTO 1449.


I hereby certify that each item of information contained in this information disclosure statement was first cited in any communication from the foreign office in a counterpart foreign application not more than three months prior to the filing of this statement. An English language version of the communication indicating the degree of relevance found by the foreign office is filed herewith.

Copies of the non U.S. Patent listed on the attached form are enclosed herewith.

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Signature: Kevin S. Lemack  
Date: January 3, 2007

Respectfully submitted,

  
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|---|-------------------------|------------|
| FORM PTO-1449   | ATTY. DOCKET NO.        | SERIAL NO. |
|   | 621P002Div.             | 10/657,494 |
|   | Dennis M. Hilton et al. |            |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT | FILING DATE             | GROUP      |
|   | September 8, 2003       | 1711       |

#### REFERENCE DESIGNATION

#### U.S. PATENT DOCUMENTS

| EXAMINER INITIAL |    | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|----|-----------------|------|------|-------|----------|----------------------------|
|                  | AA |                 |      |      |       |          |                            |
|                  | AB |                 |      |      |       |          |                            |
|                  | AC |                 |      |      |       |          |                            |

#### FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT NUMBER | DATE    | COUNTRY | CLASS | SUBCLASS | TRANSLATION |      |
|--|----|-----------------|---------|---------|-------|----------|-------------|------|
|  |    |                 |         |         |       |          | YES         | NO   |
|  | BA | 101 10 917      | 10/2002 | Germany |       |          |             | X-SR |
|  | BB | 02/20423        | 3/2002  | WO      |       |          | X-SR        |      |
|  | BC |                 |         |         |       |          |             |      |
|  | BD |                 |         |         |       |          |             |      |

#### OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

|  |  |
|--|--|
| CA   | Copy of the European communication dated 11/6/06 |
| CB   |  |
| CC   |  |
| EXAMINER   | DATE CONSIDERED                                  |
| EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance <i>and</i> not considered. Include copy of this form with next communication to applicant. |  |

SR=Cited in Search Report